

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

DANTREL ROBERT, #15789-078	§	
VS.	§	CIVIL ACTION NO. 6:12cv419
UNITED STATES OF AMERICA	§	CRIM. NO. 6:09-CR-00074(6)

O R D E R

Movant Dantrell Robert, an inmate confined at U.S.P. Beaumont, filed this motion to vacate, set aside or correct his federal sentence pursuant to 28 U.S.C. § 2255. The motion was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the motion should be granted. The parties responded by filing a joint notice of waiver of objections. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the motion to vacate, set aside or correct Robert's sentence pursuant to 28 U.S.C. § 2255 is **GRANTED** and the judgment and sentence (Crim. No. 6:09-CR-00074(6), dkt. #346) are **VACATED**. All other motions by either party not previously ruled on are hereby **DENIED**.

**So ORDERED and SIGNED this 27th day of July, 2012.**



**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**